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2611

PATENT  
Attorney Docket No. 09826.0004-00000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Michael M. RUMSEY	)	Group Art Unit: 2611
	)	
Application No.: 10/538,784	)	Examiner: Jayanti K. PATEL
	)	
Filed: June 10, 2005	)	
	)	
For: SAMPLE RATE ADAPTION IN	)	Confirmation No.: 4306
SIGNAL PROCESSING	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO SB/08 form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Each of the documents listed in this Information Disclosure Statement was first cited in an International Search Report from the European Patent Office in a counterpart foreign application.

Copies of the non-patent literature documents and foreign documents are attached. A copy of the International Search Report mailed on March 30, 2004, is also enclosed for the Examiner's convenience. Applicant does not necessarily endorse the conclusions set forth in the International Search Report.

Applicant respectfully requests that the Examiner consider the listed documents and indicate they were considered by making appropriate notation on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: February 28, 2007

By: Bradley E. Edelman  
Bradley E. Edelman  
Reg. No. 57,648

FEB 28 2007  
INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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of

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**Complete if Known**

Application Number	10/538,784
Filing Date	June 10, 2005
First Named Inventor	Michael M. RUMSEY
Art Unit	2611
Examiner Name	Jayanti K. PATEL
Attorney Docket Number	09826.0004-00000

**U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS**

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,870,402	02-09-1999	Kelley	
		US- 6,256,358	07-03-2001	Whikehart et al.	

**Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.****FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO 99 34625	07-08-1999	Gustafsson et al.		
		WO 98 17012	04-23-1998	Dent		
		WO 99 09721	02-25-1999	Sugar et al.		
		WO 98 57467	12-17-1998	Bottomley et al.		

**NONPATENT LITERATURE DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
	1.	DIETER BRUCKMANN, "Optimized Digital Signal Processing For Flexible Receivers," Department of Electrical Engineering and Information Technology, University of Wuppertal, Germany, 2002 IEEE 0-7803-7402-9/02, pgs. IV-3764-IV to IV-3767.	
	2.	International Search Report for PCT Application No. GB 03/05293, mailed March 30, 2004.	

Examiner  
SignatureDate  
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.